

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**JULIO E. RIVERA ILARRAZA,** : **Civil No. 1:15-cv-2406**

**Plaintiff,** :

**v.** :

**JAMES CHUTA, et al.,** :

**Defendant.** :

**Judge Sylvia H. Rambo**

**M E M O R A N D U M**

Before the court is a report and recommendation filed by the magistrate judge in which he recommends that the motion to dismiss Plaintiff Julio Ilarraza's civil rights action be granted. No objections to the report and recommendation have been filed.

**I. Discussion**

The basis for the recommendation is that Plaintiff has failed to prosecute his case. Under Federal Rule of Civil Procedure 41(b), a court may dismiss an action “[f]or failure of the plaintiff to prosecute or to comply with [the Federal Rules] or any order of court . . . .” In recommending that the motion to dismiss be granted, the magistrate judge appropriately addressed the factors set forth in *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863, 868 (3d Cir. 1984).

Plaintiff has not provided this court with his current address; has not made any filings in over twenty months; and has not made any inquiries as to the progress of his case.

**II. Conclusion**

The magistrate judge's report and recommendation is well founded and will be adopted. An appropriate order follows.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: January 3, 2018